

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF OREGON

CHARLES S. POPE,

Petitioner,

2:12-cv-305-AA

v.

ORDER

OREGON BOARD OF PAROLE,

Respondent.

AIKEN, District Judge.

Petitioner in this proceeding for habeas corpus relief under 28 U.S.C. § 2254 now moves for "summary judgment" (#17).

Assuming *arguendo* that summary judgments were appropriate in habeas proceedings, petitioner has failed to establish entitlement to judgment as a matter of law with his premature motion.

By Order (#12) entered May 1, 2012, respondent was allowed until June 29, 2012 to file an answer to petitioner's

petition. Respondent is not in default.

Petitioner's Motion for Summary Judgment (#17) and Motion for Default (#18) are denied.

DATED this 15th day of May, 2012.

A handwritten signature in black ink, appearing to read "Ann Aiken", written over a horizontal line.

Ann Aiken
United States District Judge